Case 3:19-cv-00223-MMD-CLB D	Pocument 1-1 Filed 05/01/19 Page 1 of 12 FILED FILED SERVED COUNSEL/PARTIES OF RECO MAY D 1 2019 CLERK US DISTRICT COURT
Richard Powell	
Richard Powell 925 N. Virginia St#B	
Reno, Nev 89503	
# 1962456 Prison Number	
	ATES DISTRICT COURT RICT OF NEVADA
Richard Powell Plaintiff.	} 1
Darlene Holyfield Kin	3:19-cv-00223 ;
	CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983
Defendant(s)))
Α. J	JURISDICTION
1) This complaint alleges that	the civil rights of Plaintiff; Kichard Soute (Print Plaintiff's name)
	25 N. Virginia St #B1, were
<u> </u>	ne below named individuals which were directed against
Plaintiff at Kend M (institution)	Veity where violation occurred)
tegury.	(Count II) (Count III)

The following civil rights has been violated: Perjury: while under outh and gluing Testimoney
Before The Reno Municipal Court

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights]

Dath and giving Testimony before the

Judge in the Reno Municipal Court in fact
Lied about Having contact with Richard Powell
When asked if there was Contact ever made
Detween the Twawhile their was a Restraining
Order brought forth by Darlene Holy field Kiris
The Plaintiff on tebraury 5, 2019 was served
Notice To Appear in court an aviolationata Temporary
Restraining order. Plaintiff stated under Testimony
That Darlene Holyfield King Contacted Him Several Times
and Had a Relationship with Richard Panell Plaintiff)
Plest Contact by Ms. King was on 12-27-17 and Had
Continued Contact with Him up untill January
26,2019. T., Richard Paux II Did Infact Testified
Before The Judge on February 14,2015 about
The Contact between Ms. King and My Selfurder
Oath, when she was questioned she lied under
cath about Not Having Any Contact at all. I believe
This is Peryuny on Her Part Linder Oath before The Court.
UNDER N. 1.5 199245

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E. REQUEST FOR RELIEF	
I believe that I am entitled to the following relief:	
for The Aggrication and That she has caused Me	theSufferin
That she KA's caused Me	by being 7
Incorperated and have a to	2 Zhiu az Mu
family for Assistance an WAS Jailed for her Per	dhelp while 1
before the Court. I am	Justaj Newself
150,000 in Compensation	forwart She out
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I understand that a false statement or answer to an subject me to penalties of perjury. I DECLARE UND	ER PENALTY OF PERJURY
UNDER THE LAWS OF THE UNITED STATES FOREGOING IS TRUE AND CORRECT. See 28 U.S.	OF AMERICA THAT THE
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(Name of Person who prepared or helped	whend fowell
prepare this complaint if not Plaintitt)	(Signature of Plaintill)
3	- 31- 19
	(Datc)

(Additional space if needed; identify what is being continued)

(full name of first defendant) and is employed as	6) Defendant	resides at	
defendant's position and title, if any)		name of first defendant)	
acting under color of law: Distribution is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional statutes, list them below. B. NATURE OF THE CASE Briefly state the background of your case. That The defendent Darlene Holy fle King Perjured Herself Before the Court On February 14, 2019 The defendant in Als matter under Oath and before the Reno Municipal Court during Testimany Didin fact Lie to the Court of the Restraining Order the Regards to the Restraining Order the The Maintiff in Regards To the Restraining Order the Chen were in Court for any ainst Myselfine Maintiff, Richard Fowell on that	and is employed as	·	I'his defendant is sued in his/her
under color of law: 7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983 If you wish to assert jurisdiction under different or additional statutes, list them below. B. NATURE OF THE CASE Briefly state the background of your case. That The defendent Darlene Holyfle King Perjured Herself Before the Court On February 14, 2019 The defendant in his matter under Oath and before the Reno Municipal Court during Testimony. Peno Municipal Court during Testimony. Diola fact Lie to the Court ond Judge (about Haway Contact with the Plaintiff in Regards to The Restraining Order the Chey were in Court for angeliant Myse The Plaintiff, Richard Powell on That	امدالانتناص		
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C. CAUSE OF ACTION

ACKNOWLEDGMENT

I, the undersigned, acknowledge that I have read the foregoing and that the information contained therein is true and correct to my own knowledge and belief.

Further, I state that I have not directly or indirectly paid or caused to be paid to any inmate, agent of an inmate, or family member of any inmate a sum of money, favors or anything else for assistance in the preparation of this document or any other document in connection with this action.

<u>Further</u>, I acknowledge that if any of the information included in this motion for leave to proceed *in forma pauperis* is false or misleading, I understand that sanctions may be imposed against me. Those sanctions may include, but are not limited to the following:

(1) dismissal of my case with prejudice:

(2) imposition of monetary sanctions;

- the Nevada Department of Prisons may bring disciplinary proceedings for a violation of MJ-48 of the Code of Penal Discipline, which can include all sanctions authorized under the Code including the loss of good time credits and punitive confinement; and
- (4) perjury charges.

<u>Further</u>, I hereby authorize the United States District Court, District of Nevada, or its representative, to investigate my financial status, and authorize any individual, corporation, or governmental entity to release any such information to the said Court or its representative.

Further. I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees and costs incurred by me as a result of being granted leave to proceed in forma pauperis.

Dated this 31 day of March . 2019

Signature of Applicant)

I understand that a false statement or answer to any question in this declaration will subject me to penalties of perjury. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT. See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

Signed at Washor County Jail

3-31-2019

(Signature)

(Inmate Prison Number)

Make a copy of this page to provide the helow information if you are naming more than five (5) defendants

5) Defeudatificati	ene Holy Sed resides at 19	950 9th St, Reno New
(full n	ame of first defendant)	(address if first defendant)
and is employed as	unemployed	(address if first defendant) This defendant is sued in his/her
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acting	_ official capacity. (Check one or he	oth). Explain how this defendant was
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1) Defendant		
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5) Defendant	resides at	
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and is employed as	(1.6.1)	v)
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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

INSTRUCTIONS FOR FILING A CIVIL RIGHTS COMPLAINT BY AN INMATE UNDER 42 U.S.C. § 1983

A. Who May Use This Form

You must use the attached form if you are an immate. The attached 42 U.S.C. § 1983 civil rights complaint form is designed to help immates prepare a complaint seeking relief for alleged violations of their federal civil rights. These complaints typically concern, but are not limited to, conditions of confinement

Do not use this form if you are challenging the length of your sentence or the validity of your conviction. If you want to challenge a state conviction or sentence, you should file a petition under 28 U.S.C. § 2254 for writ of nabeas corous by a person in state custody. If you want to challenge a federal conviction or sentence, you should file a motion under 28 U.S.C. § 2255 to vacate sentence in the federal court that entered judgment.

B. Filing a § 1983 Civil Rights Action

To initiate a § 1983 civil rights action you must submit. (1) a completed complaint form and (2) a check or money order for \$400 (which includes the \$350 filing tee and the \$50 administrative fee), or an inmate application to proceed in forma pauperis.

If you have the money to pay the full \$400 filing fee, please send a check or money order made payable to "CLERK, U.S. DISTRICT COURT" with your complaint

If you are unable to pay the entire filing fee at the time you submit your complaint, please complete an inmate's application to proceed in forma pauperis. You may request the packet titled "Information for Filing an Application to Proceed In Forma Pauperis by an Inmate under 28 U.S.C. § 1915."

In civil actions filed by pro se (self-represented) inmates, the action must be filed in the unofficial division of the court in which the inmate is incarcerated when the complaint is submitted for filing. See Local Rules of Practice for the United States District Court for the District of Nevada ("LR") IA 1-6, 1-8. The Clerk of the Court maintains offices in Las Vegas and Reno at the following addresses:

Unofficial Southern Division (Clark, Esmeralda, Lincoln, & Nye counties):

U.S. District Court Office of the Clerk

333 Las Vegas Boulevard, South, Room #1334

Las Vegas, NV 89101

<u>Unofficial Northern Division (all other counties):</u>
U.S. District Court Office of the Clerk

400 S. Virginia Street, Room #301 Reno, NV 89501

If you are incarcerated at a facility that uses electronic filing, please continue to use electronic filing.

	outl	ine).
	a)	Defendants:
	b)	Name of court and docket number:
	c)	Disposition (for example, was the case dismissed, appealed or is it still pending?):
	d)	Issues raised:
	e)	Approximate date it was filed:
	i)	Approximate date of disposition:
2)	Have	e you filed an action in federal court that was dismissed because it was determined to
	be fi	rivolous, malicious, or failed to state a claim upon which relief could be granted?
		Yes No If your answer is "Yes", describe each lawsuit. (If you had more than
		actions dismissed based on the above reasons, describe the others on an additional page
	loilo	wing the below outline.)
	Law	suit #1 dismissed as frivolous, malicious, or failed to state a claim:
	a)	Defendants:
	b)	Name of court and case number:
	c)	The case was dismissed because it was found to be (check one): frivolous
		malicious or failed to state a claim upon which relief could be granted.
	d)	Issues raised:
	e)	Approximate date it was filed:
	f)	Approximate date of disposition:
	Law	suit #2 dismissed as frivolous, malicious, or failed to state a claim:
	a)	Defendants:
	b)	Name of court and case number:

c)	The case was dismissed because it was found to be (check one): frivolous
	malicious or failed to state a claim upon which relief could be granted.
d)	Issues raised:
e)	Approximate date it was filed:
:)	Approximate date of disposition
Law	suit #3 dismissed as frivolous, malicious, or failed to state a claim.
a)	Defendants:
b)	Name of court and case number:
c)	The case was dismissed because it was found to be (check one) frivolous
	malicious or failed to state a claim upon which relief could be granted.
d)	Issues raised:
e)	Approximate date it was filed.
IJ	Approximate date of disposition
prop proc relie	e you attempted to resolve the dispute stated in this action by seeking relief from the er administrative officials, e.g., have you exhausted available administrative grievance edures? YesX No. If your answer is "No", did you not attempt administrative f because the dispute involved the validity of a. (1) disciplinary hearing: (2) e or federal court decision; (3) state or federal law or regulation; (4) parole-
	d decision; or (5) other
	ur answer is "Yes", provide the following information. Grievance Number
	and institution where grievance was filed

COUNT II		
The following civil rights has been violated:		
	_	
	•	
Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights]		
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The fell-	COUNT III
ne rono	owing civil rights has been violated:
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l	Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].
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	D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF
มร	ive you filed other actions in state or federal courts involving the same or similar fact involved in this action? Yes No. If your answer is "Yes", describe each vsuit. (If more than one, describe the others on an additional page following the below

STATEMENT OF NON-REPRESENTATION

INMATE ASSISTANCE PROGRAM

You have asked to meet with an attorney or other legal professional from Washoe Legal Services ("WLS") through its Inmate Assistance Program ("IAP"). By signing below, you acknowledge that you have read and that you understand the following:

- Pursuant to Rule 6.5 of the Nevada Rules of Professional Conduct, the IAP is a program that provides short-term limited legal services to inmates in the Washoe County Detention Facility.
- There is no expectation that WLS will provide any continuing representation regarding the legal matters that the inmate discusses with WLS.
- WLS is not agreeing to act as your attorney for any type of case. WLS only
 provides access to basic legal resources to assist inmates with their right to
 access the courts.
- WLS is only required to assist inmates with non-criminal legal issues that need to be addressed while the inmate is in the custody of the Washoe County Detention Facility.
- Discussing your legal issues with a WLS attorney will not preclude another WLS attorney from representing an individual whose interests are adverse to your interests.

If you have read and understand this statement, please sign and date where indicated below. If you have any questions or concerns regarding this document, you should discuss them with the WLS representative before you sign it. If you do not raise any questions or concerns, you will be presumed to understand this statement and agree to comply with its terms.

Date: 4-10-2019

Signature: Rechard Porch

Printed Name: Richard Porche (C)

Date of Birth: 9-30-64